

CHRONOLOGICAL HISTORY OF AUTHORIZED JUDGESHIPS IN U.S. COURTS OF APPEALS

(ARRANGED BY CIRCUIT)

THIS SECTION PROVIDES DATES AND LEGISLATIVE AUTHORITY FOR ESTABLISHMENT, REALIGNMENT, AND CREATION OF ADDITIONAL JUDGESHIPS FOR THE U.S. COURTS OF APPEALS.

INFORMATION IN THIS SECTION IS BASED ON THE 1972 SENATE REPORT ON THE LEGISLATIVE HISTORY OF THE UNITED STATES CIRCUIT COURTS OF APPEALS AND U.S. STATUTES AT LARGE.

DISTRICT OF COLUMBIA

1893 – Court of Appeals for the District of Columbia established. Three judgeships created. – Act of February 9, 1893, 27 STAT. 434.

1930 – Two additional judgeships created. – Act of June 19, 1930, 46 STAT. 785.

1938 – One additional judgeship created. – Act of May 31, 1938, 52 STAT. 584.

1949 – Three additional judgeships created. – Act of August 3, 1949, 63 STAT. 493.

1978 – Two additional judgeships created. – Act of October 20, 1978, 92 STAT. 1629.

1984 – One additional judgeship created. – Act of July 10, 1984, 98 STAT. 333.

Total Judgeships – 12

FIRST CIRCUIT

- 1801 – First Circuit created consisting of the districts of Maine, New Hampshire, Massachusetts, and Rhode Island. Three circuit judgeships created. – Act of February 13, 1801, 2 STAT. 89.
- 1802 – Act of February 13, 1801 repealed. First Circuit consisted of New Hampshire, Massachusetts and Rhode Island. Circuit judgeships abolished. – Act of April 29, 1802, 2 STAT. 156.
- 1820 – District of Maine added to First Circuit. – Act of March 30, 1820, 3 STAT. 554.
- 1869 – One circuit judgeship created. – Act of April 10, 1869, 16 STAT. 44.
- 1891 – Circuit Court of Appeals established. One additional judgeship created. – Act of March 3, 1891, 26 STAT. 826.
- 1905 – One additional judgeship created. – Act of January 21, 1905, 33 STAT. 611.
- 1915 – District of Puerto Rico added to First Circuit. – Act of January 28, 1915, 38 STAT. 803.
- 1978 – One additional judgeship created. – Act of October 20, 1978, 92 STAT. 1629.
- 1984 – Two additional judgeships created. – Act of July 10, 1984, 98 STAT. 333.

Total Judgeships – 6

SECOND CIRCUIT

- 1801 – Second Circuit created consisting of the districts of Connecticut, Vermont, Albany (New York), and New York. Circuit court with three judgeships established. – Act of February 13, 1801, 2 STAT. 89.
- 1802 – Act of February 13, 1801 repealed. Second Circuit consisted of Connecticut, Vermont, and New York. Circuit judgeships abolished. – Act of April 29, 1802, 2 STAT. 156.
- 1869 – One circuit judgeship created. – Act of April 10, 1869, 16 STAT. 44.
- 1887 – One additional judgeship created. – Act of March 3, 1887, 24 STAT. 492.
- 1891 – Circuit Court of Appeals established. One additional judgeship created. – Act of March 3, 1891, 26 STAT. 826.
- 1902 – One additional judgeship created. – Act of April 17, 1902, 32 STAT. 106.
- 1929 – One additional judgeship created. – Act of January 17, 1929, 45 STAT. 1081.
- 1938 – One additional judgeship created. – Act of May 31, 1938, 52 STAT. 584.
- 1961 – Three additional judgeships created. – Act of May 19, 1961, 75 STAT. 80.
- 1978 – Two additional judgeships created. – Act of October 20, 1978, 92 STAT. 1629.
- 1984 – Two additional judgeships created. – Act of July 10, 1984, 98 STAT. 333.
- Total Judgeships – 13

THIRD CIRCUIT

- 1801 – Third Circuit created consisting of the districts of New Jersey, the Eastern and Western districts of Pennsylvania, and Delaware. Circuit Court with three judgeships established. – Act of February 13, 1801, 2 STAT. 89.
- 1802 – Act of February 13, 1801 repealed. Third Circuit realigned to consist of New Jersey and Pennsylvania. Circuit judgeships abolished. – Act of April 29, 1802, 2 STAT. 156.
- 1866 – District of Delaware added to Third Circuit. – Act of July 23, 1866, 14 STAT. 209.
- 1869 – One circuit judgeship created. – Act of April 10, 1869, 16 STAT. 44.
- 1891 – Circuit Court of Appeals established. One additional judgeship created. – Act of March 3, 1891, 26 STAT. 826.
- 1899 – One additional judgeship created. – Act of February 23, 1899, 30 STAT. 846.
- 1930 – One additional judgeship created. – Act of June 10, 1930, 46 STAT. 538.
- 1936 – One temporary judgeship created. – Act of June 24, 1936, 49 STAT. 1903.
- 1938 – Temporary judgeship made permanent. – Act of May 31, 1938, 52 STAT. 584.
- 1944 – One additional judgeship created. – Act of December 7, 1944, 58 STAT. 796.
- 1948 – District of the Virgin Islands added to Third Circuit. – Act of June 25, 1948, 62 STAT. 870.
- 1949 – One additional judgeship created. – Act of August 3, 1949, 63 STAT. 493.
- 1961 – One additional judgeship created. – Act of May 19, 1961, 75 STAT. 80.
- 1968 – One additional judgeship created. – Act of June 18, 1968, 82 STAT. 184.
- 1978 – One additional judgeship created. – Act of October 20, 1978, 92 STAT. 1629.
- 1984 – Two additional judgeships created. – Act of July 10, 1984, 98 STAT. 333.
- 1990 – Two additional judgeships created. – Act of December 1, 1990, 104 STAT. 5089.

Total Judgeships – 14

FOURTH CIRCUIT

- 1801 – Fourth Circuit created consisting of the districts of Maryland, and Eastern and Western Virginia. Circuit Court with three judgeships established. – Act of February 13, 1801, 2 STAT. 89.
- 1802 – Act of February 13, 1801 repealed. Fourth Circuit realigned to consist of Maryland and Delaware. Circuit judgeships abolished. – Act of April 29, 1802, 2 STAT. 156.
- 1866 – Fourth Circuit reformed to include Maryland, West Virginia, Virginia, North Carolina, and South Carolina. – Act of July 23, 1866, 14 STAT. 209.
- 1869 – One circuit judgeship created. – Act of April 10, 1869, 16 STAT. 44.
- 1891 – Circuit Court of Appeals established. One additional judgeship created. – Act of March 3, 1891, 26 STAT. 826.
- 1922 – One additional judgeship created. – Act of September 14, 1922, 42 STAT. 837.
- 1961 – Two additional judgeships created. – Act of May 19, 1961, 75 STAT. 80.
- 1966 – Two additional judgeships created. – Act of March 18, 1966, 80 STAT. 75.
- 1978 – Three additional judgeships created. – Act of October 20, 1978, 92 STAT. 1629.
- 1984 – One additional judgeship created. – Act of July 10, 1984, 98 STAT. 333.
- 1990 – Four additional judgeships created. – Act of December 1, 1990, 104 STAT. 5089.
- Total Judgeships – 15

FIFTH CIRCUIT

- 1801 – Fifth Circuit created consisting of the districts of North Carolina, South Carolina, and Georgia. Circuit court with three judgeships established. – Act of February 13, 1801, 2 STAT. 89.
- 1802 – Act of February 13, 1801 repealed. The Fifth Circuit realigned to consist of Virginia and North Carolina. Circuit judgeships abolished. – Act of April 29, 1802, 2 STAT. 156.
- 1866 – Fifth Circuit reconstituted to include Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas. – Act of July 23, 1866, 14 STAT. 209.
- 1869 – One circuit judgeship created. – Act of April 10, 1869, 16 STAT. 44.
- 1891 – Circuit Court of Appeals established. One additional judgeship created. – Act of March 3, 1891, 26 STAT. 826.
- 1899 – One additional judgeship created. – Act of January 25, 1899, 30 STAT. 803.
- 1930 – One additional judgeship created. – Act of June 10, 1930, 46 STAT. 538.
- 1938 – One additional judgeship created. – Act of May 31, 1938, 52 STAT. 584.
- 1942 – One additional judgeship created. – Act of December 14, 1942, 56 STAT. 1050.
- 1948 – District of the Canal Zone added to Fifth Circuit. – Act of June 25, 1948, 62 STAT. 870.
- 1954 – One additional judgeship created. – Act of February 10, 1954, 68 STAT. 8.
- 1961 – Two additional judgeships created. – Act of May 19, 1961, 75 STAT. 80.
- 1966 – Four additional temporary judgeships created. – Act of March 18, 1966, 80 STAT. 75.
- 1968 – The four temporary positions created in 1966 were made permanent and two additional judgeships created. – Act of June 18, 1968, 82 STAT. 184.
- 1978 – Eleven additional judgeships created. – Act of October 20, 1978, 92 STAT. 1629.
- 1980 – Fifth Circuit reorganized into two circuits, the Fifth (with 14 judgeships and consisting of Louisiana, Mississippi, Texas and the Canal Zone, which closed 3/31/82) and the Eleventh (with 12 judgeships and consisting of Alabama, Florida, Georgia). – Act of October 14, 1980, 94 STAT. 1994.
- 1984 – Two additional judgeships created. – Act of July 10, 1984, 98 STAT. 333.
- 1990 – One additional judgeship created. – Act of December 1, 1990, 104 STAT. 5089.

Total Judgeships – 17

SIXTH CIRCUIT

1801 – Sixth Circuit created consisting of the districts of Eastern and Western Tennessee, Kentucky, and Ohio. Circuit court with one circuit judgeship established. – Act of February 13, 1801, 2 STAT. 89.

NOTE: The other two judgeships in the circuit court were to be held by the present district court judges of Kentucky and Tennessee. Upon their deaths circuit judges were to be appointed.

1802 – Act of February 13, 1801 repealed. Sixth Circuit reformed to consist of South Carolina and Georgia. Circuit judgeships abolished. – Act of April 29, 1802, 2 STAT. 156.

1866 – Sixth Circuit reconstructed to be composed of Ohio, Michigan, Kentucky and Tennessee. – Act of July 23, 1866, 14 STAT. 209.

1869 – One circuit judgeship created. – Act of April 10, 1869, 16 STAT. 44.

1891 – Circuit Court of Appeals established. One additional judgeship created. – Act of March 3, 1891, 26 STAT. 826.

1899 – One additional judgeship created. – Act of January 25, 1899, 30 STAT. 803.

1928 – One additional judgeship created. – Act of May 8, 1928, 45 STAT. 492.

1938 – One additional judgeship created. – Act of May 31, 1938, 52 STAT. 584.

1940 – One additional judgeship created. – Act of May 24, 1940, 54 STAT. 219.

1966 – Two additional judgeships created. – Act of March 18, 1966, 80 STAT. 75.

1968 – One additional judgeship created. – Act of June 18, 1968, 82 STAT. 184.

1978 – Two additional judgeships created. – Act of October 20, 1978, 92 STAT. 1629.

1984 – Four additional judgeships created. – Act of July 10, 1984, 98 STAT. 333.

1990 – One additional judgeship created. – Act of December 1, 1990, 104 STAT. 5089.

Total Judgeships – 16

SEVENTH CIRCUIT

- 1866 – Seventh Circuit created consisting of the districts of Indiana, Illinois, and Wisconsin. – Act of July 23, 1866, 14 STAT. 209.
- 1869 – One circuit judgeship created. – Act of April 10, 1869, 16 STAT. 44.
- 1891 – Circuit Court of Appeals established. One additional judgeship created. – Act of March 3, 1891, 26 STAT. 826.
- 1895 – One additional judgeship created. – Act of February 8, 1895, 28 STAT. 643.
- 1905 – One additional judgeship created. – Act of March 3, 1905, 33 STAT. 992.
- 1938 – One additional judgeship created. – Act of May 31, 1938, 52 STAT. 584.
- 1949 – One additional judgeship created. – Act of August 3, 1949, 63 STAT. 493.
- 1961 – One additional judgeship created. – Act of May 19, 1961, 75 STAT. 80.
- 1966 – One additional judgeship created. – Act of March 18, 1966, 80 STAT. 75.
- 1978 – One additional judgeship created. – Act of October 20, 1978, 92 STAT. 1629.
- 1984 – Two additional judgeships created. – Act of July 10, 1984, 98 STAT. 333.

Total Judgeships – 11

EIGHTH CIRCUIT

- 1866 – Eighth Circuit created consisting of Minnesota, Iowa, Missouri, Kansas, and Arkansas. – Act of July 23, 1866, 14 STAT. 209.
- 1867 – District of Nebraska added to Eighth Circuit. – Act of March 25, 1867, 15 STAT. 5.
- 1869 – One circuit judgeship created. – Act of April 10, 1869, 16 STAT. 44.
- 1876 – District of Colorado added to Eighth Circuit. – Act of June 26, 1876, 19 STAT. 61.
- 1891 – Circuit Court of Appeals established. One additional judgeship created. – Act of March 3, 1891, 26 STAT. 826.
- 1894 – One additional judgeship created. – Act of July 23, 1894, 28 STAT. 115.
- 1903 – One additional judgeship created. – Act of January 31, 1903, 32 STAT. 791.
- 1911 – Eighth Circuit reorganized to contain Nebraska, Minnesota, Iowa, Missouri, Kansas, Arkansas, Colorado, Wyoming, North Dakota, South Dakota, Utah and Oklahoma. – Act of March 3, 1911, 36 STAT. 1131.
- 1925 – Two additional judgeships created. – Act of March 3, 1925, 43 STAT. 1116.
- 1929 – Eighth Circuit divided and the Tenth Circuit created. Eighth Circuit includes Minnesota, North Dakota, South Dakota, Iowa, Nebraska, Missouri and Arkansas. Five judgeships retained. – Act of February 28, 1929, 45 STAT. 1346.
- 1940 – Two additional judgeships created. – Act of May 24, 1940, 54 STAT. 219.
- 1966 – One additional judgeship created. – Act of March 18, 1966, 80 STAT. 75.
- 1978 – One additional judgeship created. – Act of October 20, 1978, 92 STAT. 1629.
- 1984 – One additional judgeship created. – Act of July 10, 1984, 98 STAT. 333.
- 1990 – One additional judgeship created. – Act of December 1, 1990, 104 STAT. 5089.

Total Judgeships – 11

NINTH CIRCUIT

- 1866 – Ninth Circuit created consisting of California, Oregon, and Nevada. – Act of July 23, 1866, 14 STAT. 209.
- 1869 – One circuit judgeship created. – Act of April 10, 1869, 16 STAT. 44.
- 1891 – Circuit Court of Appeals established. One additional judgeship created. – Act of March 3, 1891, 26 STAT. 826.
- 1895 – One additional judgeship created. – Act of February 18, 1895, 28 STAT. 665.
- 1911 – Ninth Circuit reorganized to contain California, Oregon, Nevada, Washington, Idaho, Montana, and Hawaii. – Act of March 3, 1911, 36 STAT. 1131.
- 1929 – District of Arizona added to Ninth Circuit. – Act of February 28, 1929, 45 STAT. 1346.
- 1929 – One additional judgeship created. – Act of March 1, 1929, 45 STAT. 1414.
- 1935 – One additional judgeship created. – Act of August 2, 1935, 49 STAT. 508.
- 1937 – Two additional judgeships created. – Act of April 14, 1937, 50 STAT. 64.
- 1948 – The District of Alaska added to Ninth Circuit. – Act of June 25, 1948, 62 STAT. 870.
- 1951 – The District of Guam added to Ninth Circuit. – Act of October 31, 1951, 65 STAT. 723.
- 1954 – Two additional judgeships created. – Act of February 10, 1954, 68 STAT. 8.
- 1968 – Four additional judgeships created. – Act of June 18, 1968, 82 STAT. 184.
- 1977 – District of Northern Mariana Islands created and added to the Ninth Circuit. – Act of November 8, 1977, 91 STAT. 1265.
- 1978 – Ten additional judgeships created. – Act of October 20, 1978, 92 STAT. 1629.
- 1984 – Five additional judgeships created. – Act of July 10, 1984, 98 STAT. 333.
- Total Judgeships – 28

TENTH CIRCUIT

1929 – Tenth Circuit created consisting of Colorado, Wyoming, Utah, Kansas, Oklahoma, and New Mexico. Four judgeships created. – Act of February 28, 1929, 45 STAT. 1346.

1949 – One additional judgeship created. – Act of August 3, 1949, 63 STAT. 493.

1961 – One additional judgeship created. – Act of May 19, 1961, 75 STAT. 80.

1968 – One additional judgeship created. – Act of June 18, 1968, 82 STAT. 184.

1978 – One additional judgeship created. – Act of October 20, 1978, 92 STAT. 1629.

1984 – Two additional judgeships created. – Act of July 10, 1984, 98 STAT. 333.

1990 – Two additional judgeships created. – Act of December 1, 1990, 104 STAT. 5089.

Total Judgeships – 12

ELEVENTH CIRCUIT

1980 – Eleventh Circuit with 12 judgeships was created consisting of Alabama, Florida and Georgia. – Act of October 14, 1980, 94 STAT. 1994.

Total Judgeships – 12

FEDERAL CIRCUIT

1982 – Federal Circuit consisting of all Federal judicial districts. Circuit court with 12 judgeships. – Act of April 2, 1982, 96 STAT. 25.

Total Judgeships – 12